

**Changes to legislation:** Land Registration Act (Northern Ireland) 1970, SCHEDULE 8 is up to date with all changes known to be in force on or before 22 July 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 8

Section 56.

#### SPECIAL PROVISIONS RELATING TO SETTLED LAND AND TO CHARITABLE TRUSTS, ETC.

#### PART I

#### SETTLED LAND

- 1 The Registrar may register in respect of any settled land—
- (a) the owner of the particular estate in such land, as limited owner thereof; or
  - (b) any trustees in whom that land is vested, as full owners thereof.
- 2 Where a person is registered as limited owner under a settlement, the names of the trustees of the settlement, if any, shall be entered in<sup>F1</sup>. . . the<sup>F1</sup> title register].

**F1** 1992 NI 7

- 3 The registration of a person as limited owner of settled land in pursuance of this Act shall not—
- (a) confer on the person so registered, as against any person claiming under the settlement, any greater powers of dealing with the land than those of a tenant for life under the Settled Land Acts;
  - (b) confer on the assignee, trustee in bankruptcy, devisee or personal representatives of the limited owner any greater estate than he would otherwise have;
  - (c) take away from any trustee under the settlement any powers of dealing with the land which he would otherwise have.
- 4 (1) Where a person is, by operation of law or otherwise, assignee of a person registered as limited owner of any land, the name of the assignee shall, on his application, be entered on<sup>F2</sup> the title register] with the addition of the word “assignee”, or of such other words as may be prescribed.
- (2) In default of an entry made pursuant to sub-paragraph (1), the registration of the limited owner shall continue to have effect as if there had been no assignment.

**F2** 1992 NI 7

- 5 Where a new trustee of a settlement to which paragraph 2 relates is appointed, the Registrar shall, on application and on production of the prescribed evidence, enter his name accordingly.
- 6 The provisions of this Act with respect to the registration of limited owners shall not apply in the case of settled land within the meaning of section 63 of the Settled Land

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Act 1882 unless the settlement confers on the limited owner the powers conferred by the Settled Land Act 1882 on a tenant for life, or an order made under the Settled Land Act 1884 is in force at the time of the application for registration.

- 7 Where an order referred to in paragraph 6 is made with respect to registered land, it shall be to the effect that the person who is to exercise the powers of a tenant for life of the land in pursuance of that section shall be registered as limited owner of the land subject to such inhibitions, if any, as may be considered expedient, and it shall not be necessary to register the order as a pending action.
- 8 A person shall not be affected by notice of the trusts of any settlement by reason of any person being registered as limited owner under the settlement or by reason of any reference to the settlement being entered on<sup>F3</sup> the title register].

**F3** 1992 NI 7

## PART II

### CHARITABLE AND CERTAIN OTHER TRUSTS

#### REGISTRATION AS OWNERS OF TRUSTEES APPOINTED PURSUANT TO THE TRUSTEE APPOINTMENT ACTS 1850 AND 1890

- 1 Where the Registrar decides that any registered land would, had it been unregistered land, have become vested in certain persons as trustees in pursuance of the Trustee Appointment Act 1850 or the Trustee Appointment Act 1890, he shall register such trustees as owners of that registered land in the<sup>F4</sup> title register] without requiring a document of transfer in accordance with section 34.

**F4** 1992 NI 7

#### REGISTRATION AS OWNERS OF PERSONS IN WHOM REGISTERED LAND IS VESTED BY AN ORDER UNDER SECTION 12 OF THE CHARITIES ACT (NORTHERN IRELAND) 1964

- 2 Where any registered land becomes vested by an order under section 12 of the Charities Act (Northern Ireland) 1964 in any person, the Registrar shall, upon production of a copy of that order, register that person in the<sup>F5</sup> title register] as owner of that land.

**F5** 1992 NI 7

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 11 para. 53 inserted by [2018 c. 5 Sch. 12 para. 1](#)